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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

GUADALUPE LUCINDA VALDEZ-
VALENZUELA,

Plaintiff

v.

CARDENAS MARKETS,

Defendant

Case No.: 2:22-cv-00408-APG-VCF

**Order Remanding Case for Lack of
Subject Matter Jurisdiction**

Defendant Cardenas Markets, LLC removed this action from state court based on diversity jurisdiction. ECF No. 1. Because the removal petition did not establish the amount in controversy by a preponderance of the evidence, I ordered Cardenas to show cause why this action should not be remanded. ECF No. 5. Cardenas responds that the plaintiff recently rejected a \$35,000 settlement offer and has identified just over \$35,000 in medical bills and lost wages. ECF No. 12 at 2-3; 12-2. But Cardenas concedes that there has been no recommendation for future surgery. *Id.* at 3. I remain unconvinced that more than \$75,000 is at issue. Accordingly, I cannot exercise subject matter jurisdiction in this action.

I THEREFORE ORDER that the case is remanded to the state court from which it was removed for all further proceedings. The clerk of court is instructed to close this case.

DATED this 31st day of March, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE